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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,283	02/06/2001	Adrian P. Wise	94100420(EP)USC1X1C1D9 PD	7389
22887 7590 10/02/2003 DISCOVISION ASSOCIATES INTELLECTUAL PROPERTY DEVELOPMENT 2355 MAIN STREET, SUITE 200 IRVINE, CA 92614			EXAMINER NGUYEN, DUSTIN	
			ART UNIT 2154	PAPER NUMBER 12

DATE MAILED: 10/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,283

Applicant(s)

WISE ET AL.

Examiner

Dustin Nguyen

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☒ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
- 2) ☒ Certified copies of the priority documents have been received in Application No. 09/207,239 for G0 9405914.4 only ^{Ep 92306038.8 and}
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 12 are presented for examination.

Response to Amendment

2. As per remarks, Applicants request an acknowledge receipt of Certified copies of foreign documents. According to our record, Certified copies of priority documents EP 92306038.8, and GB 9405914.4 had been received in the parent application 09/307,239, not the Certified copy of document GB 9504046.5, Examiner requests Applicants to resubmit the missing Certified copy of document GB 9504046.5.

3. As per remarks, Applicants argue that (1) Krause does not disclose “different compression standards”.

4. As to point (1), the limitation is rejected as mentioned in the previous Office Action which encloses below. Furthermore, Krause discloses various standards of video compression [col 1, lines 11-64].

5. As per remarks, Applicants argue (2) Krause does not disclose “token generator” or “generating a control token”.

Art Unit: 2154

6. As to point (2), Krause discloses the demultiplexer is used to separate control signal and also motion vector data from blocks of pixel data to recomputed the original prediction signals [col 10, lines 9-14 and lines 41-47].

7. As per remarks, Applicants argue (3) Dargel does not disclose processing “a token generator” nor tokens corresponding to “different compression standards”.

8. As to point (3), Dargel discloses the master controller [32, Figure 1] and also it is used to provide control information to process data to each stage in the pipeline [col 2, lines 61-66; and col 6, lines 35-43]. Also, the claimed language does not specifically included a cleared definition of “different compression standards”.

9. As per remarks, Applicants argue (4) the prior art does not discloses a “token” as defined in the specification as “interactive interfacing messenger package for control and/or data functions”.

10. As to point (4), Krause discloses motion vector data which is used to recomputed to retrieve the original video signal [col 4, lines 1-9; and col 10, lines 41-47].

11. As per remarks, Applicants argue (5) the Office Action does not explain how Krause and Dargel can be combined.

Art Unit: 2154

12. As to point (5), Dargel's multi-stage pipelines would provide additional stage of processing for data of Krause's system to produce a better image and improve video signals.

13. Applicant's arguments filed 07/08/2003 have been fully considered but they are not persuasive.

Oath/Declaration

14. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
Applicant claiming the domestic priority of application 08/382952 filed on 02/01/1995 which is not the same application as mentioned in the disclosure as S/N 08/38958 filed on 02/02/1995.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krause et al. [US Patent No 5091782], in view of Dargel et al. [US Patent No 4398176].

17. As per claim 1, Krause discloses the invention as claimed including a decoder comprising:

a processor for operating on a data stream of data having portions encoded by respectively different compression standards [Abstract, lines 1-4; col 3, lines 15-37; and claim 21];

a token generator [col 10, lines 12-14];

the processor being conditioned to process the at least one data token according to the different compression standard to which the generated control token corresponds [col 10, lines 9-38].

Krause does not disclose

a token generator responsive to the encoded data stream for generating at least one data token and a control token corresponding to each of the different compression standards.

Dargel discloses

a token generator responsive to the encoded data stream for generating at least one data token and a control token corresponding to each of the different compression standards [col 6, lines 37-43].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Krause and Dargel because Dargel's teaching would provide support to different compression standards without having to add new hardware to the system.

18. As per claim 2, Krause discloses at least one of the stages being conditioned to process the at least one data token according to the different compression standard to which the generated control token corresponds [col 10, lines 9-38]. Krause does not disclose a pipeline processor having stages. Dargel discloses a pipeline processor having stages [Figure 1].

19. As per claim 3, Dargel discloses the at least one data token is altered by the at least one of the stages [claim 2].

20. As per claim 4, it is rejected for similar reason as stated above in claim 3. Furthermore, Dargel discloses the at least data token is conveyed to another one of the stages for further processing [col 5, lines 5-25].

21. As per claim 5, Krause discloses the token generator resides in one of the stages [132, Figure 8].

22. As per claim 6, Dargel discloses the generated control token interfaces with each of the stages [Abstract; col 6, lines 35-37].

23. As per claim 7, Dargel discloses the generated control token interacts with predetermined ones of the stages [Abstract].

Art Unit: 2154

24. As per claim 8, Dargel discloses the at least one data token is altered by the predetermined ones of the stages [col 2, lines 66-col 3, lines 13].

25. As per claim 9, Dargel discloses the generated control token interacts with adjacent ones of stages [col 8, lines 50-col 9, lines 3].

26. As per claim 10, Dargel discloses the generated control token interacts with non-adjacent ones of the stages [col 3, lines 59-67].

27. As per claims 11 and 12, they are method claimed of claims 1 and 3, they are rejected for similar reasons as stated above in claims 1 and 3.

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2154

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen


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